


NORTHAMPTON POLICE DEPARTMENT Administration & Operations Manual		
Policy: Development Of Discipline		AOM: P-250
Massachusetts Police Accreditation Standards Referenced: [26.1.4.a], [26.1.8], [33.1.5], [26.1.4.b], [26.1.4.c], [26.1.7.a], [26.1.7.b], [26.1.7.c], [26.1.5]		Issuing Authority Jody Kasper Chief of Police
Dissemination Date: 01/14/2000 Effective Date: 01/28/2000	Amended: 06/00, 08/02, 12/03, 12/05, 09/08, 12/08, 07/14, 10/14 Reviewed: 09/08, 12/08, 10/10, 10/12, 02/13, 07/14, 10/14, 10/16, 10/18	

Table of Contents

I. Introductory Discussion.....	1
II. Training as a Function of Discipline [26.1.4.a].....	2
III. Counseling as a Function of Discipline [26.1.4,b].....	3
IV. Punitive Actions as a Function of Discipline [26.1.4,c].....	3
V. Role of Supervisor.....	5

I. Introductory Discussion

A. Under most circumstances, the term “discipline” is incorrectly interpreted to be solely a negative form of punishment. This chapter uses the term discipline in its broader sense, as in having a “highly disciplined Department.” In this usage, discipline takes on a positive connotation, and is associated with conformance to a set of rules, a code of ethics and a high standard of conduct that results in a departmental image of professionalism.

Discipline is also defined in the dictionary as:

Training intended to produce a pattern of behavior

The punitive aspect of discipline is only one of several methods for achieving a state of discipline. Other approaches include reward, recognition, training and counseling.

II. Training as a Function of Discipline [26.1.4,a]

A. In some cases, a member's disciplinary or productivity deficiencies may be addressed by additional training in the problem area. In cases where an incorrect procedure has occurred, a rule or regulation has been violated, or otherwise inappropriate performance has taken place, the supervisor may take informal or formal training steps depending upon the nature and seriousness of the infraction.

B. Informal Training:

1. Informal undocumented training actions are most often taken as a result of minor infractions or performance problems. Informal training generally takes the form of:

- a. corrective guidance;
- b. direction and explanation; or
- c. information.

C. Formal Training:

1. In cases where a supervisor determines that formal training may be necessary, s/he may take either of the following two actions:

- a. Provide corrective training as necessary and submit a letter or memo to the Operations Division Commander detailing the nature of the infraction and any corrective actions taken

for inclusion in the employee's personnel file.

[26.1.8]

- b. The supervisor may recommend remedial training in more serious cases where the intent is to require the employee's attendance or participation in a formalized and structured training situation. In this case, the supervisor shall submit a written recommendation to the Operations Division Commander. [33.1.5]
- c. Copies of training documentation shall be given to the Training Coordinator for documentation purposes.

III. Counseling as a Function of Discipline [26.1.4,b]

- A. At those times when a supervisor recognizes a minor problem or the potential for one with an employee, s/he may choose to discuss the matter with the employee and attempt to remedy the situation before more stringent disciplinary methods are required.
 - 1. Whenever a supervisor provides counseling to an employee, he/she shall document and maintain a record of such action. [26.1.8]
 - 2. A memo shall be provided to the Captain of Operations describing the incident and action taken.

IV. Punitive Actions as a Function of Discipline [26.1.4,c]

- A. A permanent employee, whether or not subject to M.G.L. Chapter 31, may only be disciplined for just cause. Disciplinary action may be sought for actions constituting one or more the following:
 - 1. A violation of state, local or federal law;
 - 2. Conduct unbecoming an officer or employee;

3. Incompetence;
4. A violation of written or verbal departmental rules, policy, procedures or orders;
5. Nonfeasance; and/or
6. A violation of any written, verbal, departmental or City, rule, policy, procedure, regulations or order.

B. When appropriate, the following disciplinary measures may be considered:

1. Oral Reprimand: The Chief or a superior may reprimand or admonish for minor infractions of department regulations or procedures. At the Chief's or designee's discretion, a record of such action may be committed to writing and entered in an individual's personnel file. Oral reprimands committed to writing may be deleted from the file at the end of twelve calendar months upon petition of the individual to the Chief of Police. However, if new disciplinary action is taken against the officer during the twelve-month period, the record of the oral reprimand becomes a permanent part of the individual's personnel file. [26.1.8]
2. Written Reprimand: The Chief of Police, Division Commanders, or a Supervisor may issue a written reprimand for the infractions of department regulations or procedures. All letters of reprimand will become a permanent part of the individual's record and be included in the personnel file of the Department. [26.1.8]

C. Disciplinary actions which may be imposed after statutory or departmental procedural requirements are observed, are as follows:

1. Punishment Duty;
2. Suspension Not Exceeding Five Days;
3. Suspension Exceeding Five Days;
4. Lowering in Rank and Compensation; and

5. Discharge.

- D. Termination of Permanent Employees: If an employee, other than a probationary employee, is dismissed as a result of an internal investigation (see ***AOM P251 Citizen Complaints & Internal Investigations***) or a disciplinary action, the employee shall receive the following information in writing:
1. A written statement citing the reason for the dismissal; [26.1.7,a]
 2. The effective date of the dismissal; [26.1.7,b]
 3. A statement of the status of fringe and retirement benefits after dismissal; [26.1.7,c]
- E. Termination of Probationary Employees: Probationary officers having less than one year's service are subject to discharge without right to a hearing or appeal. In the case of such a termination, the Appointing Authority must comply with the following:
1. A written termination notice must be given to the employee;
 2. The written notice should state the particulars wherein the employee's conduct or capacity or the character or quality of his/her work is not satisfactory.
- F. Appeals: Permanent department personnel may choose to appeal any punitive disciplinary action, with the exception of an oral reprimand, in accordance with language set forth in the labor contract agreements or with Civil Service Law (M.G.L. Ch. 31 §41) if the employee is under Civil Service. [26.1.6]
- G. Records of Punitive Actions: With the exception of an oral reprimand (as previously explained), a complete record will be made of the facts and circumstances of any punitive disciplinary action taken and will be

permanently retained in the personnel file of the officer or employee involved. Relief From Duty [52.2.7]

- A. Any supervisor, or acting supervisor, may temporarily relieve from duty, and place on temporary administrative leave, any officer or employee:
 - 1. Who, in their opinion, is physically or psychologically unfit for duty; or
 - 2. Pending disposition of an internal investigation where it would be unwise or improper for the officer or employee to continue on duty.
 - a. The Chief of Police and the Division Commanders shall be notified immediately when an employee is relieved from duty under any of the conditions described above. Decisions regarding continued administrative leave shall be made by the Chief of Police or designee.

V. Role of the Supervisor [26.1.5]

- A. The first-line supervisor bears the primary responsibility for the conduct, discipline, and duty performance of all personnel under his/her supervision and the basic accountability for failure to take warranted disciplinary action.
- B. The following is an outline by rank and command level of authority of superior officers to discipline their subordinates.
 - 1. Sergeants, Lieutenants & civilian supervisors: Sergeants, Lieutenants and civilian supervisors have the authority to counsel, train, evaluate, praise, and recommend for recognition. They also have the authority to reprimand verbally or in writing; relieve from duty as specified in **AOM**

P251 Citizen Complaints & Internal Investigations; or recommend a more formal form of discipline as appropriate. In emergency situations, they also have the authority to suspend an employee for a period not to exceed five days.

2. Captain: A Captain has all of the above, plus the authority to implement formal forms of discipline such as counseling outside of the department, remedial training, and punishment duty. Additionally, a Captain has the authority to recommend to the appointing authority suspension exceeding five days.
3. Chief of Police: The Chief of Police has all of the above, plus the authority to recommend to the appointing authority lowering in rank or compensation or termination.